IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V. ESWARAIAH

WRIT PETITION NO : 8303 of 2005

Between:

Tegula Mallesham S/o Narsa Goud
R/o Bandamailaram (V), Mulugu (M) Medak District

... PETITIONER

AND

1 The Revenue Divisional Officer, Siddipet, Medak District
2 The Mandal Revenue Officer, Mulugu Mandal, Medak District

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ or direction preferably Writ of Mandamus declaring the order issued by the respondent NO.1 in proceedings B/1814/2003 dated 19-3-2005 as illegal, arbitrary, and violative of Principles of natural justice and consequently direct the respondents to continue the petitioner as Fair Price shop dealer as usual

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following order:

ORDER:

Petitioner seeks a Writ of Mandamus declaring the order issued by the first respondent dated 19.03.2005 as illegal, arbitrary and consequently direct the respondents to continue him as Fair Price Shop dear.

Without filing any appeal the petitioner has straightaway questioned the cancellation order of his fair price shop dealership, made by the first respondent, in this writ petition. Petitioner has got an effective alternative remedy of appeal before the appellate authority i.e., the Joint Collector under Clause 20 of the Andhra Pradesh Public Distribution Control Order, 2001.

Accordingly, the writ petition is dismissed with a direction to the petitioner to file an appeal along with a stay application before the Joint Collector within ten days from the date of receipt of this order and on such filing of the appeal, the appellate authority may consider and grant stay in accordance with law. No costs.

V. ESWARAIAH, J

April 15, 2005

Dsk

To

1 The Revenue Divisional Officer, Siddipet, Medak District
2 The Mandal Revenue Officer, Mulugu Mandal, Medak District

3 Two CCs to GP For Civil Supplies, High Court Buildings, Hyderabad (OUT)

Two CD Copies.